

**THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON MAY 13, 2009, WITH THE FOLLOWING MEMBERS PRESENT: EDWIN H. HUMPHREY, PRESIDENT, ROBERT L. PROUD, VICE PRESIDENT, AND R. SCOTT CROSWELL III, MEMBER. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 1:00 P.M. BY THE PRESIDENT OF THE BOARD AND THE BOARD OF COUNTY COMMISSIONERS WAS HONORED TO HAVE LCpl DANIEL OELKER OF THE UNITED STATES MARINE CORPS TO LEAD ALL PRESENT IN THE RECITATION OF THE PLEDGE OF ALLEGIANCE TO OUR FLAG.**

**LET THE RECORD SHOW:** The Board of County Commissioners presented LCpl Daniel Oelker of the U.S. Marine Corps with a Certificate of Appreciation honoring him for his courageous commitment to our country while supporting Operation Iraqi Freedom. The Board commended his bravery and dedication to the cause of freedom. LCpl Oelker was also presented with a medallion challenge coin from Danny Bare, Director of the Clermont County Veterans' Service Commission, a Certificate of Recognition from Sheriff Albert J. Rodenberg, and a Congressional Proclamation from Gertrud Whitaker, on behalf of Congresswoman Jean Schmidt, honoring him for his service to our country and pray for his safe return home.

**IN RE: BOARD OF COUNTY COMMISSIONERS...PROCLAMATION  
...“POLICE WEEK IN CLERMONT COUNTY”...09-0507-  
001...ADOPTED**

Recommendation of the Board of County Commissioners, Clermont County, Ohio, to issue a Proclamation designating the week of May 10, 2009, through May 16, 2009, as “Police Week in Clermont County”.

**IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 83-  
09/PAYMENT OF BILLS...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt Resolution Number **83-09** resolving to approve payment to vendors as set forth in the General Ledger Distribution Report(s) presented by the County Auditor 05/11/09 in the total amount of \$1,929,169.66, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

**IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...IV-D SERVICE  
CONTRACT WITH CLERMONT COUNTY JUVENILE COURT FOR  
THE PURCHASE OF SERVICES FOR SAME...09-0501-001...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Tim McCartney, Director, Department of Job and Family Services, with the concurrence of David L. Spinney, County Administrator, to execute the IV-D Service Contract by and between the County of Clermont, Ohio, and Clermont County Juvenile Court, 2340 Clermont Center Drive, Batavia, Ohio 45103, for the provision of hearings relative to IV-D cases on behalf of the Department of Job and Family Services, Child Support Enforcement

Division, at the rate of \$104.42 per unit (hearing), for 3,200 total units, for a total cost not to exceed \$334,155.77, for the period of 04/01/09 through 03/31/10, pursuant to the terms and conditions specified therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

**IN RE: DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT...  
GRANT AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT  
OF DEVELOPMENT FOR THE PROVISION OF FUNDING RELATIVE  
TO THE NEIGHBORHOOD STABILIZATION PROGRAM (NSP) FOR  
FISCAL YEAR 2009 FOR THE COUNTY OF CLERMONT, OHIO...09-  
0224-002...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Raymond Sebastian, Chief Building Official, Building Inspection Department, with the concurrence of Scot Lahrmer, Assistant County Administrator, to authorize Edwin H. Humphrey, President of the Board of County Commissioners, to execute a Grant Agreement by and between the County of Clermont, Ohio, and the State of Ohio, Department of Development, P.O. Box 1001, 77 South High Street, Columbus, Ohio 43216-1001, including all understandings and assurances relative thereto, for the provision of funding for Grant Number B-Z-08-013-1 (CFDA Number 14.228) relative to the Fiscal Year 2009 Ohio Department of Development Neighborhood Stabilization Program (NSP) in the amount of \$1,442,562.00, for the County of Clermont, Ohio, in concert with the grant application ratified by the Board of County Commissioners on 02/25/09, for the grant period beginning April 1, 2009 and ending May 30, 2013, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

**IN RE: OFFICE OF ECONOMIC DEVELOPMENT...RESOLUTION NUMBER  
84-09/RESOLUTION APPROVING A GRANT AWARD FOR ECONOMIC  
DEVELOPMENT PURPOSES PURSUANT TO SECTION 307.07 (B) (5)  
OF THE OHIO REVISED CODE AND ESTABLISHING THE TERMS  
AND CONDITIONS THEREOF...09-0429-003...ADOPTED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Andrew T. Kuchta, Director, Office of Economic Development, with the concurrence of Scot Lahrmer, Assistant County Administrator, to adopt Resolution Number 84-09 resolving to authorize the Director of the Office of Economic Development to make a grant award to the Village of Williamsburg in the amount of \$10,000.00 as part of the economic incentive package to promote job retention in the County; and further, to authorize the Director of the Office of Economic Development, in conjunction with the Assistant County Administrator, to insure all proper recording of transfer of funds and any necessary agreements with the grantee or other related parties necessary to carry out the intent of this Resolution and the function of the Office of Economic Development have been completed, pursuant to and in compliance with Section 307.07 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

**IN RE:            CLERMONT COUNTY WATER RESOURCES DEPARTMENT  
                     ...RESOLUTION NUMBERS 85-09 THROUGH 87-09/RESOLUTIONS  
                     CERTIFYING DELINQUENT UTILITY CHARGES TO THE  
                     CLERMONT COUNTY AUDITOR FOR PLACEMENT ON THE REAL  
                     PROPERTY TAX LIST AND DUPLICATE...ADOPTED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Sukie Scheetz, Controller, Clermont County Water Resources Department, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Numbers 85-09 through 87-09 resolving to certify delinquent utility charges to the Clermont County Auditor for placement on the real property tax list and duplicate of the County of Clermont, Ohio, as a lien against the property served by such connection as identified in Exhibits A, attached thereto and made a part thereof, pursuant to Sections 6103.02 and 6117.02 of the Ohio Revised Code, as outlined below:

Delinquent Utility	Total Amount
Sewer Charges Resolution Number 85-09 DC# 09-0430-003	\$20,802.12
Water Charges Resolution Number 86-09 DC# 09-0430-004	\$13,047.09
Miscellaneous Utility Charges Resolution Number 87-09 DC# 09-0430-005	\$17,746.51

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes;    Mr. Proud, Yea;    Mr. Humphrey, Aye.

**IN RE:            COUNTY ENGINEER...RESOLUTION TO AUTHORIZE PAYMENT  
                     FOR A PERMANENT AND TEMPORARY EASEMENT HERETOFORE  
                     GRANTED AND CONVEYED TO THE COUNTY OF CLERMONT,  
                     OHIO, FOR PROJECT NUMBER BA-01-05 RELATIVE TO THE APPLE  
                     ROAD CULVERT REPLACEMENT PROJECT LOCATED WITHIN  
                     BATAVIA TOWNSHIP...09-0505-001...APPROVED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to approve payment in the total sum of \$3,597.00 to David W. Whittymore, 27 Apple Road, Amelia, Ohio 45102 for a permanent and temporary easement heretofore granted and conveyed to the County of Clermont, Ohio, for roadway and drainage purposes necessary for Project Number BA-01-05 relative to the Apple Road Culvert Replacement Project located in Batavia Township as set forth in Record Plat Number 629-2629 for the Replat of Lot Number 6 situated within Webb Subdivision in Batavia Township, previously ratified by the Board of County Commissioners on 04-22-09 and recorded in the Clermont County Recorder’s Office in Plat Book 15, Page 11, and further to authorize Linda L. Fraley, County Auditor, to remit payment and issue a warrant in the amount of \$3,597.00 as full compensation for both the Permanent and Temporary Easement and Right-of-Way granted thereby for Parcel Number 03-45-08-006 and as identified on the County of Clermont Right of Way Acquisition Settlement Sheet therefore.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea;    Mr. Croswell, Yes;    Mr. Humphrey, Aye.

**IN RE:            COUNTY ENGINEER...COL. JOHN H. BRANCH’S SUBDIVISION OF  
BRANCH HILL/MIAMI TOWNSHIP...RECORD PLAT NUMBER 629-  
2637 FOR THE REPLAT OF LOT NUMBERS 54, 55, AND 58 WITHIN  
SAME...09-0504-004...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Record Plat Number **629-2637** for the Replat of Lots in the following Subdivision within Miami Township:

Subdivision	Record Plat Number	Reason for Replat
Col. John H. Branch’s Subdivision of Branch Hill Miami Township	629-2637	To combine old Lot Numbers 54, 55, and 58 and create new Lot Number 105

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes;     Mr. Proud, Yea;     Mr. Humphrey, Aye.

**IN RE:            COUNTY ENGINEER...RECORD PLAT NUMBER 629-2638 FOR  
EQUESTRIAN HEIGHTS SUBDIVISION LOCATED IN MONROE  
TOWNSHIP...09-0505-002...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Record Plat Number **629-2638** for Equestrian Heights Subdivision located within Monroe Township, which includes a private street not for public maintenance.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea;     Mr. Croswell, Yes;     Mr. Humphrey, Aye.

**IN RE:            COUNTY ENGINEER...THE WOODS AT MIAMI TRAILS  
SUBDIVISION/BLOCK I/SECTION 10/MIAMI TOWNSHIP...RELEASE  
OF A COMBINED PERFORMANCE-MAINTENANCE BOND AND  
ACCEPTANCE OF STREETS INTO THE MIAMI TOWNSHIP PUBLIC  
ROAD SYSTEM...99-0303-002...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize the release of a Combined Performance-Maintenance Bond, previously converted to the Maintenance Bond Phase, for the following subdivision within Miami Township, and to accept the streets in the lengths stated situated therein as public roads for placement into the Miami Township Public Road System:

Subdivision	Maintenance Bond	Streets/Length (miles)
The Woods at Miami Trails Block I/Section 10 Miami Township	\$7,500.00	Ridgewood Drive Ext. (0.115) Redhawk Court (0.085)

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes;   Mr. Proud, Yea;   Mr. Humphrey, Aye.

**IN RE:        COUNTY ENGINEER...THE WOODS AT MIAMI TRAILS  
SUBDIVISION/BLOCK K/SECTION 10/MIAMI TOWNSHIP...RELEASE  
OF A COMBINED PERFORMANCE-MAINTENANCE BOND AND  
ACCEPTANCE OF STREETS INTO THE MIAMI TOWNSHIP PUBLIC  
ROAD SYSTEM...01-0403-004...APPROVED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize the release of a Combined Performance-Maintenance Bond for the following subdivision within Miami Township, and to accept the streets in the lengths stated situated therein as public roads for placement into the Miami Township Public Road System:

Subdivision	Performance/Maintenance Bond	Streets/Length (miles)
The Woods at Miami Trails Block K/Section 10 Miami Township	\$25,000.00/\$10,000.00	Cedar Drive (0.268) Ridgewood Drive (Ext. of 0.096)

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea;   Mr. Croswell, Yes;   Mr. Humphrey, Aye.

**IN RE:        COUNTY ENGINEER...PERMANENT AND/OR TEMPORARY  
EASEMENTS HERETOFORE GRANTED AND CONVEYED TO THE  
COUNTY OF CLERMONT, OHIO, FOR PROJECT NUMBER MO-11-08  
RELATIVE TO THE SOUTH ALTMAN ROAD LANDSLIDE  
STABILIZATION PROJECT LOCATED WITHIN MONROE  
TOWNSHIP...09-0428-008...ACCEPTED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to accept the following Permanent and/or Temporary Easements heretofore granted and conveyed to the County of Clermont, Ohio, for roadway and drainage purposes necessary for Project Number MO-11-08 relative to the South Altman Road Landslide Stabilization Project located within Monroe Township, and to authorize the County Auditor to remit payment as compensation for the Permanent and/or Temporary Easements and Rights-of-Way granted thereby:

Grantor	Parcel Number	Compensation
Amy H. Mast 1369 Thornbird Drive Cincinnati, Ohio 45230 Property Location: U. S. Route 52	22-26-16A-043	Perm        \$300.00 Temp        \$150.00
Fred W. Meyer and Janis K. Zabel nka Janis K. Meyer P.O. Box 55 New Richmond, Ohio 45157 Property Location: 1438 South Altman Road	22-26-16A-057	Perm        \$1,232.00

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes;   Mr. Proud, Yea;   Mr. Humphrey, Aye.

**IN RE:            COUNTY ENGINEER...REQUEST FOR A TEMPORARY DETOUR TO  
THROUGH TRAFFIC ON WEAVER ROAD IN STONELICK  
TOWNSHIP...09-0512-001...APPROVED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize a temporary detour to through traffic on Weaver Road in Stonelick Township for the period of **Monday, 05/18/09, through Friday, 05/22/09**, for a culvert replacement, with the understanding that the appropriate barriers and detour signs will be maintained during the afore stated temporary detour along an alternate route by the appropriate law enforcement agency therefore pursuant to Section 5543.17 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea;   Mr. Croswell, Yes;   Mr. Humphrey, Aye.

**IN RE:            HUMAN RESOURCES DEPARTMENT...EXECUTION OF A TUITION  
ASSISTANCE AGREEMENT FROM A CLERMONT COUNTY  
EMPLOYEE...07-0622-006...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Robert Sander, Director, Human Resources Department, with the concurrence of David L. Spinney, County Administrator, to execute a Tuition Assistance Agreement submitted by the following employee for participation in the Clermont County Tuition Assistance Program and to authorize reimbursement in the amount as outlined below, pursuant to Section 4.12 of the Clermont County Personnel Policy and Procedures Manual:

Department/Employee	Class Name(s)	Amount
Clermont County Water Resources Department Giles Thrift	Analytical Control Elements Final Control Elements	\$1,477.50

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea;   Mr. Croswell, Yes;   Mr. Humphrey, Aye.

**LET THE RECORD SHOW:** That a motion by Mr. Croswell, seconded by Mr. Proud, to approve the minutes of Work Session of **05/04/09** carried with all members present voting affirmatively thereon.

**LET THE RECORD SHOW:** THAT THE PRESIDENT OF THE BOARD OF COUNTY COMMISSIONERS RECESSED REGULAR SESSION AT 1:29 P.M. TO BE RECONVENED AT 2:00 P.M. THIS DATE.

**LET THE RECORD SHOW:** THE BOARD RECONVENED REGULAR SESSION AT 2:00 P.M. WITH COMMISSIONERS HUMPHREY AND PROUD PRESENT.

**IN RE: BOARD OF COUNTY COMMISSIONERS...PUBLIC HEARING FOR PROJECT NUMBER 621-0036 RELATIVE TO THE BENTON ROAD AND ST. JOSEPH DRIVE SEWER PETITION PROJECT SITUATED WITHIN BATAVIA TOWNSHIP ...09-0327-002**

**LET THE RECORD SHOW:** THAT A PUBLIC HEARING WAS SCHEDULED AT 2:00 P.M. THIS DATE AND WAS CALLED TO ORDER AT 2:00 P.M. IN THE OFFICE OF THE BOARD OF COUNTY COMMISSIONERS, 101 EAST MAIN STREET, BATAVIA, OHIO 45103-2960, TO AFFORD PUBLIC COMMENT ON THE PROPOSED BENTON ROAD AND ST. JOSEPH DRIVE SEWER PETITION PROJECT IDENTIFIED AS PROJECT NUMBER 621-0036 LOCATED WITHIN BATAVIA TOWNSHIP, PURSUANT TO CHAPTER 6117 OF THE OHIO REVISED CODE.

\*\*\*THIS PUBLIC HEARING WAS RECORDED AND VIDEOTAPED AND EITHER/OR ARE AVAILABLE FOR PUBLIC INSPECTION MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M. LOCAL TIME. A COURT REPORTER, EMPLOYED BY AMY L. BREWER TRANSCRIPT SERVICES, WAS PRESENT TO RECORD AND PREPARE AN OFFICIAL TRANSCRIPT OF THIS HEARING AND THE TRANSCRIPT WILL BE AVAILABLE FOR REVIEW UPON RECEIPT THEREOF DURING THE AFORESTATED DAYS AND HOURS OF OPERATION. A SIGN-IN SHEET OF ALL THOSE IN ATTENDANCE IS HEREBY MADE A PART OF THE OFFICIAL RECORD.\*\*\*

JUDITH KOCICA, CLERK OF THE BOARD, READ INTO THE RECORD THE LEGAL NOTICE RELATIVE TO THIS PUBLIC HEARING THAT WAS APPROVED ON WEDNESDAY, APRIL 8, 2009. THE PROJECT CONSISTS OF THE CONSTRUCTION OF APPROXIMATELY 3,047 LINEAR FEET OF GRAVITY 8" SANITARY SEWER, MANHOLES, LATERALS AND CLEANOUTS ALONG BENTON ROAD AND ST. JOSEPH DRIVE IN BATAVIA TOWNSHIP. THE PROJECT WILL START AT STATE ROUTE 132 AND EXTEND NORTHWARDLY 2,165 LINEAR FEET ALONG BENTON ROAD AND FROM BENTON ROAD WILL EXTEND 882 LINEAR FEET EASTWARDLY ALONG ST. JOSEPH DRIVE. THE TOTAL PROJECT COSTS ARE ESTIMATED AT \$697,057.00.

THOMAS C. YEAGER, DIRECTOR OF UTILITIES, CLERMONT COUNTY WATER RESOURCES DEPARTMENT, INTRODUCED THE FOLLOWING STAFF MEMBERS IN ATTENDANCE: LYLE G. BLOOM, P.E., SANITARY ENGINEER, MATT SMITH, PROJECT MANAGER, AND DONNA BERTLINE, CONTRACT MANAGER FOR FINANCIAL RESOURCES.

LYLE G. BLOOM, P.E., SANITARY ENGINEER, CLERMONT COUNTY WATER RESOURCES DEPARTMENT, ADDRESSED THE BOARD OF COUNTY COMMISSIONERS AND PROVIDED A SYNOPSIS OF THE BENTON ROAD AND ST. JOSEPH DRIVE SEWER PETITION PROJECT LOCATED WITHIN BATAVIA TOWNSHIP. THERE WERE TWO (2) PUBLIC INVOLVEMENT MEETINGS HELD AND THE PROJECT WILL SERVE TWENTY-SEVEN (27) PARCELS. WRITTEN RESPONSES WERE RECEIVED INDICATING SEVENTEEN (17) IN SUPPORT OF, SEVEN (7) IN OPPOSITION TO AND THREE (3) HAVING NO RESPONSE RELATIVE TO THE PROJECT. SIX (6) EASEMENTS WILL BE REQUIRED IF THE PROJECT IS TO PROCEED.

THREE (3) RESIDENTS ADDRESSED THE BOARD IN OPPOSITION TO AND ONE RESIDENT APPEARED IN FAVOR OF THE REFERENCED PROJECT.

IT WAS NOTED THAT COMMENT SHEETS IN SUPPORT OF OR OPPOSITION TO THE PROPOSED PROJECT WERE AVAILABLE AND SHOULD BE SUBMITTED WITHIN FIVE (5) BUSINESS DAYS FOR CONSIDERATION THEREOF.

HAVING NO FURTHER COMMENT TO COME BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR CONSIDERATION THEREOF, THE PUBLIC HEARING WAS CONCLUDED AT 2:30 P.M. LOCAL TIME.

**LET THE RECORD SHOW:** That a motion by Mr. Proud, seconded by Mr. Humphrey, to approve the minutes of Regular Session of **05/13/09** carried with all members present voting affirmatively thereon.

**LET THE RECORD SHOW:** That the President of the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 2:30 P.M.

**BOARD OF COUNTY COMMISSIONERS  
CLERMONT COUNTY, OHIO**

**EDWIN H. HUMPHREY, PRESIDENT  
ROBERT L. PROUD, VICE PRESIDENT  
R. SCOTT CROSWELL III, MEMBER**

**JUDITH KOCICA, CLERK OF THE BOARD**

**DATE APPROVED – 05/13/09**